

**MERCK**

Merck & Co., Inc.
P.O. Box 2000
Rahway, NJ 07065

Patent Department

Facsimile Cover Sheet

TODAY'S DATE: June 22, 2004**PLEASE DELIVER THE FOLLOWING MATERIALS TO:**Examiners Name: Ulrike Winkler, Ph.D.

Examiner's fax number: 703-872-9306

Group number: 1648

THIS MESSAGE IS FROM:

Name: Laura Ginkel, Ph.D.

Phone No.: (732) 594-1932Mail Location: RY60-30Fax No.: (732) 594-4720

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JUN 22 2004

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RE: U.S. Appl. Serial No.: 09/831,182
Filing Date: July 18, 2001
Applicants File Ref: ITR0056P
For: CELLS FOR THE PRODUCTION OF HELPER DEPENDENT
ADENOVIRALVECTORS, METHOD FOR THE PREPARATION AND USE
THEREOF.

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING COVER): 11

1. Amendment after Final
- 2.
- 3.

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6/22/2004

PATENT

CASE NO. ITR0056P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: COLLOCA, STEFANOSerial No. 09/831,182Filed July 18, 2001Group Art Unit 1648Examiner Ulrike Winkler

For: **CELLS FOR THE PRODUCTION OF HELPER DEPENDENT
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AND USE THEREOF**

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.☐ The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>22</u>	-	** <u>27</u> =	<u>0</u> X	\$18	= <u>0.00</u>
Independent Claims	* <u>1</u>	-	*** <u>3</u> =	<u>0</u> X	\$86	= <u>0.00</u>
Multiple Dependent Claims					\$290 ****	= <u> </u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

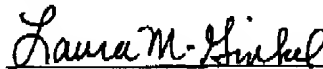
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**** Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

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Respectfully,



By: Laura M. Ginkel

Attorney for Applicant(s)

Reg. No. 51,737

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-1932

Date: June 22, 2004

IN DUPLICATE

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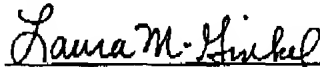
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Attorney _____ for Applicant(s)

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Date: June 22, 2004

IN DUPLICATE

CERTIFICATE OF FACSIMILE TRANSMISSION

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Dorene Milić

Name

Signature

6/22/2004

Date

Response under 37 C.F.R. 1.116
Expedited Procedure
Examining Group: 1648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 22 2004

Applicants: Colloca

Serial No.: 09/831,182

Case: ITR0056P

Art Unit: 1648

Filed: July 18, 2001 (entry of national phase)

For: CELLS FOR THE PRODUCTION OF HELPER
DEPENDENT ADENOVIRAL VECTORS,
METHOD FOR THE PREPARATION AND USE
THEREOF

Examiner:
Winkler, U.

OFFICIAL

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL, 37 C.F.R. § 1.116

Dear Sir:

In response to the Final Office Action mailed May 5, 2004, for which an unextended reply is due August 5, 2004, please consider the following amendments and the foregoing remarks. Applicants are filing a response within two months from the mailing date of the Final Office Action and respectfully request an Advisory Action (M.P.E.P. 710.02(e)). Any additional fees associated with this Amendment may be charged to Merck Deposit Account No. 13-2755.

Serial No: 09/831,182

Case No: ITR0056P

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AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 3 of this paper.

REMARKS begin on page 6 of this paper.